

Exhibit 13

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3 WESTERN DIVISION
4

| | | | |
|----|---------------------------|---|------------------------|
| 5 | CHROMADEx, INC., |) | |
| | |) | |
| 6 | |) | PLAINTIFF,) CASE NO. |
| | |) |) 16-02277-CJC- (DFMx) |
| 7 | vs. |) | |
| | |) | |
| 8 | ELYSIUM HEALTH, INC., AND |) | |
| | MARK MORRIS, |) | |
| 9 | |) | |
| | |) | DEFENDANTS.) |
| 10 | |) | |
| | <hr/> |) | |
| | ELYSIUM HEALTH, INC., |) | |
| 11 | |) | |
| | |) | COUNTERCLAIMANT) |
| 12 | |) | |
| | |) | |
| 13 | vs. |) | |
| | |) | |
| 14 | CHROMADEx, INC., |) | |
| | |) | |
| 15 | |) | COUNTER-DEFENDANT) |

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18 * * * ATTORNEYS' EYES ONLY * * *
19 VIDEOTAPED DEPOSITION OF ROBERT FRIED
20 TAKEN WEDNESDAY, APRIL 17, 2019
21 LOS ANGELES, CALIFORNIA
22

23
24 Reported by Audra E. Cramer, CSR No. 9901
25 Job No. 159130

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
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5 CHROMADEx, INC.,)

6 PLAINTIFF,) CASE NO.

) 16-02277-CJC- (DFMx)

7 vs.)

8 ELYSIUM HEALTH, INC., AND)
9 MARK MORRIS,)

10 DEFENDANTS.)

11 _____)
12 ELYSIUM HEALTH, INC.,)

13 COUNTERCLAIMANT)

14 vs.)

15 CHROMADEx, INC.,)

16 COUNTER-DEFENDANT)
17

18 VIDEOTAPED DEPOSITION OF ROBERT FRIED, TAKEN
19 ON BEHALF OF THE DEFENDANT AND COUNTERCLAIMANT,
20 AT 9:35 A.M., WEDNESDAY, APRIL 17, 2019, AT
21 11601 WILSHIRE BOULEVARD, LOS ANGELES, CALIFORNIA,
22 BEFORE AUDRA E. CRAMER, CSR NO. 9901, PURSUANT TO
23 NOTICE.
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25

1 APPEARANCES OF COUNSEL

2

3 FOR PLAINTIFF AND CROSS-DEFENDANT:

4 COOLEY

BY: MICHAEL ATTANASIO, ESQUIRE

5 4401 EASTGATE MALL

SAN DIEGO, CALIFORNIA 92121

6

7

8 FOR DEFENDANT AND COUNTERCLAIMANT:

9 BAKER & HOSTETLER

BY: JOSEPH SACCA, ESQUIRE

10 DARLEY MAW, ESQUIRE

45 ROCKEFELLER PLAZA

11 NEW YORK, NEW YORK 10111

12

13

14 ALSO PRESENT:

15 ALINE MAYER, VIDEOGRAPHER

16 THOMAS WILHELM

17 MARK FRIEDMAN

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1 selling NR products?

2 A. I understood that Elysium had just
3 gotten into the market. I understood that there
4 was a company called Live Cell Research that was
5 doing very well. I understood that if one went
6 to Amazon, there were probably two dozen
7 companies offering it on Amazon.

8 Q. With so many companies already in the
9 market, what led you to believe that there was
10 opportunity for a new company?

11 A. I didn't know that there was an
12 opportunity for a new company. I was
13 researching that.

14 Q. When did you decide that there was
15 opportunity for a new company?

16 A. This is a difficult question to answer.
17 Because when I formed Healthspan, it was always
18 a test. I was putting up my own money to build
19 a website and to sell a product, and if it
20 didn't work, I would shut down the company.

21 So I wouldn't say that there was a
22 gating moment. It was all sort of ongoing, you
23 know, accretive research.

24 Q. And your intent for Healthspan was to
25 sell a nicotinamide riboside-containing product?

1 Q. Do you recall when you joined the
2 board?

3 A. I believe I joined the board in the
4 summer of 2015.

5 Q. Does July 9, 2015, sound right?

6 A. Yeah.

7 Q. And how far in advance of that did you
8 start discussing the possibility of becoming a
9 ChromaDex director? Do you remember?

10 A. No.

11 Q. Was it weeks?

12 A. Probably weeks.

13 Q. Was it months?

14 A. No.

15 Q. Did Mr. Jaksch tell you why ChromaDex
16 was interested in having you join the board?

17 A. There was a board member who had
18 expressed interest in leaving the board.

19 Q. And was that Glenn Halperin?

20 A. Yes.

21 Q. And he was a designee of Dr. Frost?

22 A. I don't know if he was a designee, but
23 he does sit on -- he does have a relationship
24 with Dr. Frost.

25 Q. Is he a member of the Frost Group?

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) SS.

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4 I, AUDRA E. CRAMER, CSR No. 9901, in and for the
5 State of California, do hereby certify:

6 That, prior to being examined, the witness named
7 in the foregoing deposition was by me duly sworn to
8 testify the truth, the whole truth and nothing but the
9 truth;

10 That said deposition was taken down by me in
11 shorthand at the time and place therein named, and
12 thereafter reduced to typewriting under my direction,
13 and the same is a true, correct and complete transcript
14 of said proceedings;

15 I further certify that I am not interested in the
16 event of the action.

17 Witness my hand this 29th day of April,
18 2019.

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AUDRA E. CRAMER

24

Reporter for the

25

State of California